

Licensing and Health and Safety Committee

Minutes of a Meeting of the Licensing and Health and Safety Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **19th January 2015**.

Present:

Cllr. Feacey (Chairman);
Cllr. Galpin (Vice-Chairman);
Cllrs. Bennett, Davey, Miss Martin, Mrs Martin, Shorter, Sims, Smith.

Apologies:

Cllrs. Aaby, Hodgkinson, Mrs Hutchinson.

Also Present:

Licensing Manager, Senior Member Services & Scrutiny Support Officer.

323 Declarations of Interest

Councillor	Interest	Minute No.
Feacey	Announced an 'Other Interest' as he was the Managing Director of Energyshift who worked with members of the taxi trade and he was on the Management Committee of UK LPG.	325, 326

324 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 20th January 2014 be approved and confirmed as a correct record.

325 Proposed Fee Levels for 2015/16 Applications

The Licensing Manager introduced the report which recommended the proposed fees for licences for the financial year 2015/16. It covered: - Gambling Related Fees; Sex Establishment Fees; Hackney Carriage and Private Hire Fees; Scrap Metal Dealers Fees; as well as summary of licences and permissions issued between 1st January and 31st December 2014.

Gambling Related Fees

The report recommended an increase of 1% be made to the fees, which was in line with the current rate of inflation.

Sex Establishment Fees

These fees had been re-evaluated in light of the amount of work necessary for processing applications and compliance and as a consequence the report

recommended that both renewals and transfers be reduced by 40%. However, a 1% increase was proposed for the remaining fees (grant of a licence) in line with the current rate of inflation.

Hackney Carriage and Private Hire Fees

The Licensing Manager tabled a document setting out a comparison of the various fees and fares for Hackney Carriages and Private Hire across Kent and Medway.

There were no increases in fees from 2009 to 2012 and in the financial year 2013/14 due to an increase in the number of drivers which ensured that any inflationary costs were covered by the increased income. In 2012/13 most of the fees remained unchanged apart from two which decreased and the introduction of three year driver licenses at an overall saving. The increases and decreases introduced for 2014/15 were outlined in the report. Licenced drivers and proprietors now had up to five additional costs to pay in relation to the annual licensing process: - Disclosure and Barring Service checks (every three years); vehicle compliance checks (every two years); medicals; the knowledge test for Hackney Carriage drivers; and the Driver Standards Agency taxi driving test.

The report recommended that overall fees be increased by an average of 1% in line with the current rate of inflation, with the following exceptions: - The three year driving licence be increased from £75 to £100 to cover administration and compliance costs over the three year period; and the Hackney Carriage drivers test (the knowledge test) be increased from £45 to £50 to cover administration costs.

In response to questions from Members the Licensing Manager advised that the three year licences had been brought in at the £75 rate to encourage drivers to apply for a longer period and save money in the long run. Now they had reached the end of the first three year cycle it was proposed to increase that to £100, which was still a significant saving on the proposed fee of £50 for an annual licence. The proposed rise was purely in order to cover costs as licensing was a function that had to be non-profit making. He accepted that it did appear to be a significant one time rise, but from their introduction it had been understood that the cost of the three year licence was likely to rise and drivers and operators were aware of the proposed increase and there had been no comments received.

The following responses were given to other questions/comments: -

- All vehicles should be able to carry at least four passengers plus their luggage. There were also 15 disabled accessible vehicles on the fleet.
- Many drivers were employed to take children to and from school in arrangements organised by KCC. Therefore it may sometimes be difficult to get a taxi at school run times. The Licensing Manager endeavoured to find out statistics as to the number of taxis that may be employed in this way, but it was pointed out that these figures may be distorted as grants were often now given to families to make their own arrangements, rather than drivers entering in to contracts with KCC directly.
- One operator had looked in to the possibility of using Toyota Prius vehicles, but it would not have been cost effective. There were currently no plans to

provide grants to promote cleaner and greener vehicles and it would require a major policy change for the Council to incentivise a particular type of vehicle.

Scrap Metal Dealers Fees

The report recommended an increase of 1% be made to the fees, which was in line with the current rate of inflation.

Recommended:

- (i) that the fees used for gambling applications and notices as given below be approved.

RECOMMENDED GAMBLING RELATED LICENCE FEES FOR 2015/16

Premises Type	New Application (£)	Annual Fee (£)
New Small Casino	6506	3701
New Large Casino	7806	7469
Regional Casino	12299	114533
Bingo Club	2236	697
Betting Premises (excluding Tracks)	2273	449
Tracks	1749	694
Family Entertainment Centres	1749	601
Adult Gaming Centre	1749	697
Temporary Use Notices	202	N/A

	Application to Vary £	Application to Transfer £	Application for Re-Instatement £	Application for Provisional Statement £	Licence Application (provisional Statement holders) £	Copy Licence £	Notification of Change £
New Small Casino	2671	1553	1305	6506	2319	25	50
New large Casino	3530	1822	2055	7806	3831	25	50
Regional Casino	5766	4198	4198	12299	5989	25	50
Bingo Club	1527	849	849	2236	921	25	50
Betting Premises (excluding Tracks)	1289	849	849	2236	921	25	50
Tracks	1170	849	849	1749	921	25	50
Family Entertainment Centres	787	849	849	1749	761	25	50

Adult Gaming Centre	788	849	849	1749	921	25	50
Temporary Use Notices	N/A	N/A	N/A	N/A	N/A	25	N/A

(ii) that the sex establishment fees as given below be approved.

RECOMMENDED SEX ESTABLISHMENT LICENCE FEES FOR 2015/16

Current Fees:

Grant: £3,172

Transfer: £579

Renewal: £579

Taking into account the above, the recommended fee levels for sex establishments for 2015/16 are as follows:

Grant: **£3,204**

Transfer: **£350**

Renewal: **£350**

(iii) that the hackney carriage, private hire and operator applications licence fees as given below be approved for the purposes of public consultation.

PROPOSED HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING FEES 2015/16

	CURRENT FEES	PROPOSED FEES
	2014/15	2015/16
Private Hire & Hackney Carriage Drivers Licence (for 1 year)	£49.00	£50.00
Private Hire & Hackney Carriage Drivers Licence (for 3 years)	£75.00	£100.00
Additional driver's licence (adding a licence)	£20.00	£20.00
Hackney Carriage Knowledge Test & Re-test	£45.00	£50.00
Replacement badge/Licence	£10.50	£11.00
Vehicle Licence - New (including vehicle plate) for 1 year	£300.00	£303.00
Vehicle Licence - Renewal (including vehicle plate) for 1 year	£280.00	£283.00
Vehicle Plate Internal/External	£25.00	£25.00
Transfer of Vehicle Licence (with or without vehicle plate)	£25.00	£25.00

<i>Vehicle Inspection - Test Fee (set by contract)</i>	<i>Max £28.00</i>	Max £28.00
<i>Vehicle Inspection - Missed Appointment (set by contract)</i>	<i>No charge</i>	No charge
Private Hire Operators Licence - New or Renewal (for 3 years)	1-3 vehicles : £75 4-10 vehicles : £250 11-20 vehicles : £500	1-3 vehicles : £76 4-10 vehicles : £253 11-20 vehicles : £505
To increase number of vehicles licensed during duration of Operators Licence	1-3 to 4-10 : £175 4-10 to 10-20: £250	1-3 to 4-10 : £177 4-10 to 10-20: £253
Fee for Returned (Bounced) Cheques	£16.00	£16.00

(iv) that the scrap metal, site and collectors fees as given below be approved.

	CURRENT FEES 2014/15	PROPOSED FEES 2015/16
Grant Site Licence	£300	£303
Grant Collectors Licence	£200	£202
Renewal Site Licence	N/A	£202
Renewal Collectors Licence	N/A	£101
Variation	£75	£76
Replacement Licence	N/A	£11

326 Review of the Hackney Carriage Fare Scale 2015/16

The Licensing Manager introduced the report which set out a number of options for the Hackney Carriage fare scale for 2015/16. In December 1996 the Council had agreed that the Hackney Carriage fare scale would be reviewed annually. There had been consultation and discussion with the trade at the September 2014 Taxi Forum and a subsequent internet based survey of drivers and operators. This survey had generated a better response rate than the previous postal questionnaire, but still only represented 46 of the approximately 200 eligible respondents.

The four options proposed were: - no change to the current tariff; an increase of 10p or 20p to the starting fare (drop rate); an increase of 3% to the overall tariff; and an increase of 5% to the overall tariff. The rough implications for the cost of a journey for various distances on the basis of each of these options were outlined in the report and the previously tabled comparison document contained the current figures for a two mile tariff at all Kent and Medway Authorities. The responses of the trade were set out within the papers and a majority would prefer an increase of 10p to the drop rate and an additional 3% overall. In terms of the other questions asked as part of the survey 89.1% of respondents had altered their meter to the 2014/15 rate and 78.3% would not support vehicles carrying six or more passengers to be able to charge the 1.5 tariff.

In terms of other costs, as of December 2014, the average price per litre of unleaded fuel in the South East was 114 pence – a decrease of 16 pence on the previous year. Over the same period diesel prices had decreased by approximately 17 pence, and LPG was currently 69.4p per litre and usually sat around 40% of the cost of unleaded petrol. These figures had continued to fall since the compilation of the report. The Consumer Prices Index of inflation stood at 1% in December 2014, the lowest it had been since 2002.

League tables of Hackney Carriage fares, based on a two mile journey placed Ashford 68th highest out of 364 Districts nationally, and 8th of 12 in Kent and Medway.

The Licensing Manager outlined the changes in fares since 2011 and advised that Members were asked to set the maximum levels for fares, although drivers may charge less if they wished to.

Members generally considered it was difficult to support an increase to the fares in a market where costs were dropping markedly.

One Member said she would support a rise in the fares if that was the price to pay to ensure a good, safe and trustworthy Hackney Carriage service. Falling fuel and insurance costs should be taken into account, but these were not the only overheads that drivers had and she considered it would be a little unfair to ignore those that had responded to the survey.

The Committee as a whole considered that the response rate to the survey and participation of drivers in the process was on the whole disappointing and wanted that point to be relayed back to the drivers. Any arguments for changes to the fares would be looked at far more credibly if supported by higher numbers. At present it should be assumed that the 75% plus of those who had not responded were content with the current fares.

In response to a question about what other Authorities were doing with their Hackney Carriage fares, the Licensing Manager advised that not all Councils reviewed their fares every year like Ashford had agreed to do, and many waited for the trade to approach them and make a case for changes. The Committee agreed that they would like to continue to review the fares annually, but it was up to the trade to make their case for any changes and back that up with a lot more detail and evidence in the future. That message should be made clearly to the trade.

Recommended:

That the Hackney Carriage fare scale for 2015/16 as given in the table below be approved for the purpose of issuing a public notice.

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PROPOSED FARES FOR 2015/16

FARES FOR DISTANCE OR TIME

	<u>£</u>
Rate 1	
If the distance does not exceed 700 yards, for the whole distance or for the first 220.5 seconds of waiting time	2.80
For each subsequent 171.8 yards or uncompleted part thereof	0.20
Or for each subsequent period of 54.5 seconds of waiting time or uncompleted part thereof	0.20

SURCHARGES FOR CERTAIN TIMES AND DAYS:-

Rate 2

- | | |
|---|-------------|
| a) For each hire commenced between 12 midnight and 7 am | 1½ x Rate 1 |
| b) For each hire undertaken on GOOD FRIDAY, EASTER MONDAY, MAY DAY, SPRING BANK HOLIDAY, SUMMER BANK HOLIDAY or any other specifically declared Bank Holiday only. | 1½ x Rate 1 |

Rate 3

- | | |
|--|------------|
| c) For each hire undertaken on a CHRISTMAS DAY, BOXING DAY or NEW YEARS DAY
Note: When the holiday charge (b) or (c) is payable the Night Charge (a) is NOT payable. | 2 x Rate 1 |
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Extras - up to a maximum of £1.20

- | | |
|---|------|
| d) for each person (excluding infants in arms) carried in excess of two persons (two children under 10 years of age count as one person) irrespective of distance. | 0.20 |
| Note: For the purposes of counting the number of persons <u>that the vehicle is licensed to carry</u>, children under 10 years of age should <u>each be counted as a person</u>. A babe in arms should not be counted as a person. | |
| e) for each article of luggage conveyed outside the passenger compartment of the carriage | 0.05 |
| f) for perambulators | 0.05 |
| g) for dogs | 0.10 |

After the conclusion of the Meeting the Licensing Manager drew the Committees attention to a 'Licensing Summary' for 2014 summarising the licences/permissions issued from 1st January – 31st December 2014 and a list of the new Premises Licences issued. He further advised of changes to Regulated Entertainment Permissions and a Bill currently going through Parliament on the Planning Use Class for Betting Shops aimed at tackling the rise in fixed odds betting machines. He also advised of the imminent retirement of the Police's local Licensing Officer PC Julian Postlethwaite who had been a great partner for the Council and would be missed. The Licensing Manager also advised that further details on the emerging changes to Policy would be included in the Post-Election training for the new Council.
